



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF WATER

MEMORANDUM

SUBJECT: Package for the Final Rule “Codifying EPA’s Adjudicatory Decision on Florida’s Clean Water Act Section 404 Program Request”
TRANSMITTAL MEMORANDUM (SAN 8404)

FROM: John Goodin, Director
Office of Wetlands, Oceans and Watersheds

**JOHN
GOODIN**

Digitally signed by JOHN
GOODIN
Date: 2021.01.06
11:36:41 -05'00'

TO: David P. Ross
Assistant Administrator

This memorandum transmits to you, for submission to the Office of Policy and then the Administrator, the U.S. Environmental Protection Agency’s final rulemaking on “Codifying EPA’s Adjudicatory Decision on Florida’s Clean Water Act Section 404 Program Request.” This is proposed to be a Tier 3 action.

Background

The U.S. Environmental Protection Agency is publishing this final rule to reflect its approval of the State of Florida’s Clean Water Act (CWA) Section 404 program (85 FR 83553). The Agency is updating its existing regulations at 40 CFR part 233 under the authority of the CWA (33 U.S.C. 1251 et seq.). The Agency has determined that there is good cause for making this rule final without prior proposal and opportunity for comment because such notice and opportunity for comment is unnecessary. With this action, EPA is reflecting its approval of Florida’s Section 404 program in the Code of Federal Regulations for transparency to the public. EPA’s codification of Florida’s program is a voluntary and ministerial action codifying an approval decision which was already subject to notice and comment.

Recommendation

I recommend that you submit this action to the Administrator for signature.

Attachments